

**In the  
Indiana Supreme Court**



IN THE MATTER OF )  
 )  
THE APPOINTMENT OF )  
 )  
KIM VAN VALER )  
 )  
AS SENIOR JUDGE IN THE )  
DEKALB CIRCUIT COURT and )  
DEKALB SUPERIOR COURTS )  
 )

Cause No. 94S00-1001-MS- 73

ORDER APPOINTING SENIOR JUDGE

The Judges of the DeKalb Circuit and Superior Courts, the Honorable Kirk D. Carpenter, the Honorable Kevin P. Wallace and the Honorable Monte L. Brown, have requested the appointment of Senior Judge Kim Van Valer for service in 2010, pursuant to Ind. Code §33-23-3-1.

This Court adopted revisions to Administrative Rule 5 on December 3, 2003, which made certain changes to the senior judge program in recognition of the importance of senior judges to the administration of justice in Indiana trial courts. Accordingly, we find that Judges Carpenter, Wallace and Brown have demonstrated the need for additional judicial resources. Senior Judge Kim Van Valer has been certified as a senior judge by the Judicial Nominating Commission pursuant to Ind. Code §33-27-4-1. This Court may re-examine the appointment made herein at a later date in light of other circumstances, and make adjustments accordingly.

IT IS, THEREFORE, ORDERED that Senior Judge Kim Van Valer is appointed to serve in the DeKalb Circuit and Superior Courts at the discretion of the Judges of the courts. This appointment shall remain in effect until **December 31, 2010**. Pursuant to Ind. Code §33-23-3-5,

the senior judge appointed by this Court in this Order may not be compensated as senior judge for more than one hundred (100) days in the aggregate during the 2010 calendar year.

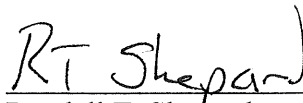
All appointments are contingent upon senior judge day limits established by this Court through separate Orders, and **it shall be incumbent upon the presiding judges of each court to ensure that his court complies with the Orders setting senior judge day limits.** Pursuant to Admin. R. 5(B)(4) a senior judge shall have the same jurisdiction as the presiding judge of the court where the senior judge is appointed, but only during the days that the senior judge is serving in such court. Additionally, Admin. R. 5(B)(4) provides that a senior judge who has been appointed to serve in a court shall have the same jurisdiction as the regular judge of the court where he/she is serving to officiate at marriages at any time during the appointment. A senior judge may retain jurisdiction in an individual case beyond the day of service if the order of the presiding judge of the court in which the case is pending so orders.

This appointment is made with the express understanding that Judge Van Valer will not claim mileage or overnight expenses when serving in DeKalb County.

The Clerk of this Court is directed to forward a certified copy of this order to the Honorable Kirk Carpenter, DeKalb Circuit Court, 100 South Main Street, Auburn, IN 46706-3251; the Hon. Kevin P. Wallace, DeKalb Superior Court 1, 100 South Main Street, Auburn, IN 46706-3251; the Hon. Monte L. Brown, DeKalb Superior Court, 100 South Main Street, Auburn, IN 46706-3251; the Hon. Kim Van Valer; to the clerk of the DeKalb Circuit and Superior Courts; the Indiana Judicial Center; to the Judicial Qualifications Commission; and to the Division of State Court Administration, Payroll Section. The Clerk is also directed to post this Order to the Court's website.

**The clerk of the courts is directed: 1) to distribute a copy of this order to the presiding judges of the courts, 2) to enter this Order in the Record of Judgments and Orders of the courts, and 3) to post this Order for public inspection.**

DONE at Indianapolis, Indiana this 28<sup>th</sup> day of January, 2010.

  
Randall T. Shepard  
Chief Justice of Indiana